

REMARKS

Applicant thanks the Examiner for indicating that claims 4, 11 and 22 would be allowable if rewritten in independent form to include all limitations of the base claim and any intervening claims.

Claims 1, 5-10, 12-19, and 23-25 are pending in the application. Claims 1, 10, 16, and 19 are independent. By the foregoing Amendment, claims 1, 10, 16, and 19 have been amended and claims 2-4, 11, and 20-22 have been canceled. These changes are believed to introduce no new matter and their entry is respectfully requested.

Rejection of Claims 1-3, 5-10, 12-16, 19-21, and 23-25 Under 35 U.S.C. §102(e)

In the Office Action, the Examiner rejected claims 1-3, 5-10, 12-16, 19-21, and 23-25 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2004/0177087 to Wu et al. (hereinafter “Wu”). Applicants respectfully traverse the rejection.

A claim is anticipated only if each and every element of the claim is found, either expressly or inherently, in a reference. (MPEP §2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987)). The identical invention must be shown in as complete detail as is contained in the claim. *Id. citing Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989)). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

In the Office Action, the Examiner indicated that claim 4 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Although Applicants believe claim 1 is patentable as written, in the interest of expediting prosecution Applicants have amended claim 1 to include the subject matter of claims 2-4. Accordingly, Applicants respectfully submit that claim 1 is in condition for allowance. Claims 2-3 have been canceled rendering the rejection to them moot. Claims 5-9 properly depend from claim 1 and are thus in condition for allowance for at least the same reasons that claim 1 is in condition for allowance. (MPEP §2143.03 (*citing In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596

(Fed. Cir. 1988)). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 1-3 and 5-9.

In the Office Action, the Examiner indicated that claim 11 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Although Applicants believe claim 10 is patentable as written, in the interest of expediting prosecution Applicants have amended claim 10 to include the subject matter of claim 11. Accordingly, Applicants respectfully submit that claim 10 is in condition for allowance. Claims 12-15 properly depend from claim 10 and are thus in condition for allowance for at least the same reasons that claim 10 is in condition for allowance. (MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988))). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 10 and 12-15.

Also, although Applicants believe claim 16 is patentable as written, in the interest of expediting prosecution Applicants have amended claim 16 to include the subject matter of claim 11, which the Examiner indicated would be allowable if rewritten in independent form. Accordingly, Applicants respectfully submit that claim 16 is in condition for allowance. Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claim 16.

In the Office Action, the Examiner indicated that claim 22 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Although Applicants believe claim 19 is patentable as written, in the interest of expediting prosecution Applicants have amended claim 19 to include the subject matter of claims 20-22. Accordingly, Applicants respectfully submit that claim 19 is in condition for allowance. Claims 20-21 have been canceled rendering the rejection to them moot. Claims 23-25 properly depend from claim 19 and are thus in condition for allowance for at least the same reasons that claim 19 is in condition for allowance. (MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988))). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 19-21 and 23-25.

Rejection of Claims 17-18 Under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 17-18 under 35 U.S.C. §103(a) as being obvious over *Wu* in view of U.S. Patent No. 5,991,271 to Jones et al. (hereinafter “*Jones*”). Applicants respectfully traverse the rejection.

Claims 17-18 properly depend from claim 16 and are thus in condition for allowance for at least the same reasons that claim 16 is in condition for allowance. (MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988))). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 17-18.

CONCLUSION

Applicants respectfully submit that all grounds for rejection have been properly traversed, accommodated, or rendered moot and that the application is now in condition for allowance. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

/October 14, 2008/
Date

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(206) 292-8600

/Jan Little-Washington/
Jan Little-Washington
Reg. No. 41,181

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

/Kristy A. Marvel/ October 14, 2008
Kristy A. Marvel *Date*